

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CAMERON HOLLIS,

Defendant.

CASE NO. 8:06CR331

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation (Filing No. 19) issued by Magistrate Judge F.A. Gossett recommending that the Motion to Suppress filed by the Defendant, Cameron Hollis (Filing No. 12), be granted in part and denied in part.

The Defendant seeks an order suppressing the Defendant's statements made to law enforcement on September 23, 2006. Judge Gossett determined: the government did not meet its burden of showing that the Defendant knowingly waived his *Miranda* rights; and that the Defendant spoke voluntarily with law enforcement officers. Therefore, Judge Gossett recommended that the motion to suppress be granted insofar as the Defendant's unknowing waiver of *Miranda* rights, and denied insofar as the Defendant's voluntary statements made to the officers.

Notwithstanding the absence of objections, pursuant to 28 U.S.C. § 636(b)(1)(C) and NECrimR 57.3, the Court has conducted a de novo review of the record. The Court has read the Defendant's brief (Filing No. 13) and the transcript (Filing No. 21). The Court has also viewed the evidence. (Filing No. 17.) Because Judge Gossett fully, carefully, and correctly applied the law to the facts, the Court adopts the Report and Recommendation in its entirety.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation (Filing No. 19) is adopted in its entirety; and
2. The Defendant's Motion to Suppress (Filing No. 12) is granted in part and denied in part as follows:
 - a. the motion is granted insofar as the Defendant's unknowing waiver of *Miranda* rights;
 - b. the motion is denied insofar as the Defendant's voluntary statements made to the officers.

DATED this 30th day of May, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge